

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

|                             |   |                            |
|-----------------------------|---|----------------------------|
| UNITED STATES OF AMERICA,   | ) | CR. NO. 12-1034 SOM        |
|                             | ) |                            |
| Plaintiff,                  | ) | ORDER GRANTING UNITED      |
|                             | ) | STATES' MOTION TO DISMISS  |
| vs.                         | ) | COUNT 1 (CONSPIRACY) AND   |
|                             | ) | GRANTING PORTION OF        |
| DONALDSON ENTERPRISES, INC. | ) | DEFENDANTS' MOTION FOR     |
| and CHARLES DONALDSON,      | ) | JUDGMENT OF ACQUITTAL      |
|                             | ) | RELATING TO COUNT 4 (FALSE |
| Defendants.                 | ) | STATEMENT)                 |
| _____                       | ) |                            |

**ORDER GRANTING UNITED STATES' MOTION TO  
DISMISS COUNT 1 (CONSPIRACY) AND GRANTING  
PORTION OF DEFENDANTS' MOTION FOR JUDGMENT OF  
ACQUITTAL RELATING TO COUNT 4 (FALSE STATEMENT)**

This order memorializes selected oral rulings announced by the court on  
May 26, 2017.

The court grants the unopposed United States' oral motion to dismiss  
Count 1 (Conspiracy) against Defendants Charles Donaldson and Donaldson  
Enterprises, Inc. Count 1 is dismissed.

The court also grants the portion of Defendants' Joint Motion for Judgment  
of Acquittal seeking acquittal on Count 4 (False Statement). This ruling is based  
on the court's finding that the evidence is insufficient to support a conviction on

that count. Judgment of acquittal is hereby entered on Count 4 for Defendants Charles Donaldson and Donaldson Enterprises, Inc.

Counts 2 (Treatment), 3 (Storage), and 5 (Treatment) remain in issue.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, May 26, 2017.



/s/ Susan Oki Mollway  
Susan Oki Mollway  
United States District Judge

United States v. Donaldson Enterprises, Inc., et al.; Cr. No. 12-1034 SOM  
ORDER GRANTING UNITED STATES' MOTION TO DISMISS COUNT 1  
(CONSPIRACY) AND GRANTING PORTION OF DEFENDANTS' MOTION  
FOR JUDGMENT OF ACQUITTAL RELATING TO COUNT 4 (FALSE  
STATEMENT)